

MEETING MINUTES, PLANNING COMMISSION, JANUARY 9, 2006

Present: Trent Pohlar, Jerry Ott, Carmen Madsen, Janet Eades, Phil Tinkle, Duane O'Neal, Keith Hardin, Jim Oxley, Shawna Koons-Davis, City Attorney; Ed Ferguson, Planning Director; Janice Nix, Recording Secretary

The meeting was called to order at 7:00 p.m. by Phil Tinkle, President.

ELECTION OF OFFICERS

President - Eades nominated Trent Pohlar, seconded by Madsen. Vote for **approval** was unanimous, 8-0. **Motion carried.** Mr. Pohlar was elected by acclamation.

Vice President - Madsen nominated Phil Tinkle, seconded by Ott. Vote for **approval** was unanimous, 8-0. **Motion carried.** Mr. Tinkle was elected by acclamation.

PREVIOUS MINUTES

December 12th - Eades moved to approve the minutes as mailed, seconded by O'Neal. Vote for **approval** was unanimous, 8-0. **Motion carried.**

OLD BUSINESS

SITE DEVELOPMENT PLANS

Docket PC2005-055 – Site Development Plan – O'Reilly Automotive, Summerfield Crossing, Block C, Lot 3 –located on sw corner of Independence Dr. and Declaration Dr. - .923 acre lot zoned C-2 – petitioner and owner is O'Reilly Automotive; engineer is Anderson Engineering.

A representative came forward and was sworn. He explained he was not particularly familiar with the plans, however he was present to try and answer any questions the Commission might have. Mr. O'Neal stated due to the fact that this gentlemen is not familiar with the plans and there is a long list of conditions from the Tech Committee, he moved to continue this petition to the next meeting (February 13th) until a representative (project engineer) can attend and answer questions. Tinkle seconded the motion. Vote for **approval to continue** this petition was unanimous, 8-0. **Motion carried.** This docket will be placed on the February 13th agenda.

Docket PC2005-056 – Site Development Plan – Aldi, expansion of building and pavement – located on north side of Stop 18, east of US 31, at 486 E. Stop 18 Rd. – 120 acre lot zoned I-2 – owner is Aldi, Inc.; petitioner and engineer preparing plans is Civil Designs. Waiver request for sidewalks.

Aaron Hurt, Civil Designs, came forward and was sworn.

Site plan was presented for the Commission's review. The existing Aldi warehouse is in need of additional space due to growth. Office space as well as warehouse space is being expanded. They are planning on adding a curb cut onto Stop 18 Rd. Currently only one cut onto Stop 18 Rd. exists.

A waiver concerning sidewalk installation is being requested. Their request is to not install sidewalks, as sidewalks were not required when the site was originally developed and they are asking to continue with that since this is for an addition only. No sidewalks currently exist in the area along Stop 18 Rd. Industrial/commercial uses are the primary uses in the area. Hardin pointed out that he has observed pedestrians walking from the neighborhoods to the east in the roadway going toward the existing Aldi store. Tinkle explained that the sidewalks would stop at the railroad tracks. Discussion ensued about requiring Aldi to install a sidewalk along their entire frontage along Stop 18 Rd., including in front of the Aldi store, and continuing north along U.S. 31. Safety issues regarding truck traffic and pedestrians using the street were the primary discussion.

Ott moved that the request of Aldi for a waiver from the requirements of the Greenwood Subdivision Control Ordinance, Greenwood Municipal Code Sec. 10-515 Sidewalks, Subsections 20.15.01 through 20.15.03, that specify that a sidewalk shall be constructed along every residential or commercial lot, be approved for only the undeveloped portion of property owned by Aldi along U.S. 31. However, sidewalks shall be installed along the entire frontage of Stop 18 Rd. and along the front of the Aldi store, and continuing north along the frontage of the store on U.S. 31, and that the Plan Commission find that the criteria set forth by Greenwood Municipal Code Sec. 10-501, 20.02.02, for the approval of the waiver has been met for the reasons set forth in Aldi's written waiver request and as presented, seconded by O'Neal. Vote for **approval** was 6 for, 2 against (Eades, Madsen). **Motion carried.** Sidewalks shall be installed along the entire Stop 18 frontage and the U.S. 31 frontage of the grocery store area.

Discussion of addition of #19 for the Tech Committee took place and shall read as follows: If drainage remains as dry detention, approval from the BPWS shall be obtained.

O'Neal moved to approve PC2005-056, subject to the recommendations of the Tech Committee, as amended, being met, seconded by Tinkle. Vote for **approval** was unanimous, 8-0. **Motion carried.**

NEW BUSINESS

PUBLIC HEARINGS

Docket PC2006-002 – Zone Map Change, Suburban Acres, Lots 3-17, from R-2 to R-3 to bring non-conforming multi-family structures into compliance. Located on east side of Riverside Drive, south of Fry Rd. – petitioner is Greenwood Advisory Plan Commission.

Mr. Ferguson gave a brief presentation of the proposed zone map change. The property as it exists is completely multi-family. The current zoning is for single family housing. By changing the zoning it will enable the owners to reconstruct their structures if substantial damage is sustained in the future.

1. **Criteria:** This request complies with the Comprehensive Plan in the following way(s) **Answer:** The Land Use Element of the Greenwood Comprehensive Plan calls for these properties to be medium density residential.
2. **Criteria:** This request complies with the Current conditions and the character of current structures and uses in each district in the following ways: **Answer:** The Character and current conditions is that lots 3 through 17 are either duplexes or apartments, and have been since the early 1960's. No change is proposed in the use or character of these properties.
3. **Criteria:** The request is for the most desirable use for which the land in this district is adapted **Answer:** The most desirable uses are the existing uses – two-family and multi-family residences.
4. **Criteria:** The request will not negatively affect the property values throughout the Jurisdiction because **Answer:** Changing the zoning district from R-2 Single-family to R-3 Multi-family should only help maintain or improve property values in the area. The existing dwellings would no longer be legal non-conforming uses (i.e. "grandfathered"), but would be permitted uses in an R-3 zone.
5. **Criteria:** This request is considered responsible development and growth because **Answer:** Changing the zoning classification to match the existing 40-year old neighborhood is responsible action on the part of the Plan Commission.

Nancy Werner, 449 Camby Ct., Grwd, came forward and was sworn. She explained she is the President of the Brittany Green Homeowners Association. Their community is located adjacent to these properties. She asked for clarification of why the rezoning is being requested. Mr. Ferguson further explained the reasoning behind the rezoning request. This is basically a step to correct an omission that was apparently made when the 1969 zoning map was adopted. This entire street has always been duplexes and small apartment buildings.

The City Attorney reviewed the statutory criteria with the Commission.

Tinkle moved that the petition for a Zone Map Change for the rezoning of approximately 8.05 acres known as the Suburban Acres East Section (Lots No. 3 through 17) generally located along the east side of Riverside Drive, within the City of Greenwood, Johnson County, Indiana, from R-2 – Residential Single Family use to R-3 – Residential – Multi Family use, as set forth therein, receive a **favorable** from this commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented, seconded by Oxley. Vote for **approval** was unanimous, 8-0. **Motion carried.**

Docket PC2006-003 – Primary Plat – Greenbrooke Parke, industrial subdivision – located on south side of County Line Rd., east of Airport Pkwy – 18.95 acre lot zoned I-1 – petitioner and owner is J. Greg Allen & Assocs., engineer is Northpointe Surveying.

Donna Smithers, Northpointe Surveying; and Ken Zumstein, Greg Allen & Associates; came forward and were sworn.

A waiver of newspaper notification was requested. The ad appeared in the Daily Journal 13 days prior to the hearing, rather than the required 15 days per the City's ordinance. Ott moved to grant the waiver, seconded by Eades. Vote for **approval** was unanimous, 8-0. **Motion carried.**

All recommendations of the Tech Committee will be met. The plat will consist of two blocks, which will be further developed as lots.

Discussion of providing access along both Airport Pkwy. and County Line Rd. took place. It was determined that an additional Tech Condition should be added as follows: 9. Ingress/Egress shall be provided along both County Line Rd. and Airport Pkwy.

Tinkle moved to approve PC2006-003, subject to the recommendations of the Tech Committee, as amended, being met, seconded by Ott. Vote for **approval** was unanimous, 8-0. **Motion carried.**

SITE DEVELOPMENT PLANS

Docket PC2006-004 – Site Development Plan – Emerson Office Parke, Block E, Lot 2 – located on west side of Emerson, south of County Line Rd. – 3.4 acre lot zoned C-2. Petitioner and owner is Allen Commercial Group, engineer is Northpointe Surveying.

Donna Smithers, Northpointe Surveying; and Ken Zumstein, Greg Allen & Assocs.; came forward and were sworn.

The I-65 Overlay Committee has reviewed this site plan. One waiver request is being made concerning landscaping being allowed in the drainage and utility easement along the frontage of the site. Smithers presented a written request. Oxley moved to grant the waiver, seconded by Tinkle. Vote for **approval** was unanimous, 8-0. **Motion carried.**

Ken Zumstein addressed the commission to ask for approval to allow construction of the building to begin simultaneously with the land alteration permit being issued. They need to be in the building by September, 2006, because they have to be out of their current location on St. Rd. 135 by then. They have already received approval from the FAA for this building. Ott moved to grant this request, seconded by Eades. Vote for **approval** was unanimous, 8-0. **Motion carried.**

Ott moved to approve PC2006-004, subject to the recommendations of the Tech Committee being met, seconded by Hardin. Vote for **approval** was unanimous, 8-0. **Motion carried.**

ANNOUNCEMENTS/REPORTS

Mr. Ferguson announced he and Deb Luzier visited Ball State and received a draft and presentation of the new Comprehensive Plan. A group from Ball state will be here to make a presentation at the January 23rd workshop.

Mr. Hardin was welcomed as a new member to the Plan Commission.

O'Neal moved to adjourn, seconded by Oxley. Vote for **approval** was unanimous, 8-0. **Motion carried.** Meeting was adjourned at 8:25 p.m.

JANICE NIX
Recording Secretary

TRENT POHLAR
President